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Rule
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cont

^{2.}
~~50.~~ (new) ⁵¹ The method of claim ~~49~~, wherein one of the first or second binding agents comprises an anti-FSH antibody expressed by hybridoma cell line ECACC 00032004.

^{3.}
~~51.~~ (new) ⁵¹ The method of claim ~~49~~, wherein one of the first or second binding agents comprises an anti-FSH antibody expressed by hybridoma cell line ECACC 00032005.

^{4.}
~~52.~~ (new) ⁵¹ The method of claim ~~49~~, wherein one of the first or second binding agents comprises an anti-FSH antibody expressed by hybridoma cell line ECACC 00032004 and the other comprises an anti-FSH antibody expressed by hybridoma cell line ECACC 00032005.

REMARKS

This is in response to the Restriction Requirement mailed March 24, 2003 for the above-captioned application. Reconsideration and further examination are respectfully requested.

Applicants have canceled all of the previously pending claims and present a new set of claims for the Examiner consideration. These claims correspond to the subject matter of original Claims 1-13 (Group I) and Claim 14 (Group II). However, the subject matter of the Group II claim has been presented in a format to make clear the relationship of this claim (claim 49) to the more generic claims of Group I. It is believed that these claims are properly considered as a single group which is hereby elected.

No new matter has been added, although the terminology has been simplified. For example, claim 19 uses the phrase "the first state differs from the second state as a result of containing the different forms of the analyte in different relative amounts" in place of the phrase "which states differ from one another in the nature and/or amounts of one or more forms present therein" which appeared in claim 1. When the first state contains only one form of the analyte and the second state only a different form of the analyte, these states differ in the nature of the form present. They also differ in the relative amounts of the forms, however, since the ratio is 100:0 versus 0:100. Intermediate states differ from one another in the relative amounts of the different forms. Thus, the new language is equivalent to and supported by the old language.

Applicants also point out that claim 19 now does not specify that the label is necessarily on the second binding reagent, but merely states that the amount of complex is determined. Which of the two binding agents is labeled with a detectable label is only of importance when one of the binding agents is used for immobilization. Thus, the amendment does not constitute new matter, but merely a more generalized statement of the invention. This statement of the invention is consistent with the disclosure on Page 5, line 27 et seq. Thus, this change does not introduce new matter.

The cancellation of claims 1-18 is without prejudice and Applicants reserve the right to pursue one or more continuation or divisional applications directed to the subject matter of the cancelled claims.

Early examination and allowance of claims 19-53 are respectfully urged.

Respectfully submitted,

A handwritten signature in cursive script, reading "Marina T. Larson", followed by a horizontal line.

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